IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 10485 of 2005

Between:

P.Rambabu S/o. Narayana
R/o.Ramachandrapuram Village Peddamodugupalli Post
Vadsavai Mandal Krishna Dist., A.P.

..... PETITIONER

AND

1 The Govt. of A.P Rep.by its District Collector
Krishna Machilipatnam (Panchayat Raj Wing)
2 The Principal Secretary Panchayat Raj Dept.,
Govt., of A.P
3 The District Panchayat Officer
Krishna Machilipatnam.
4 Hari Narasimha Rao S/o. Hari Basavaiah
R/o.Indugupally Village Vatsavai Mandal
Krishna District.

5. The Station House Officer

Indugupalli village

Vatsavai Mandal

Krishna District. **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue writ, order or direction more particularly one in the nature of the writ of mandamus declaring the action of the respondents in issuing orders dt.07-01-2005 and Memo.No.10444/Pts.III/A3/2004-2, dt.23-12-2004 and consequential orders permitting the fourth respondent to quarry sand in the reach of indugupally Village,Vatsavai Mandal, Krishna District, in Munneru River for a period of 236 days from 08-01-2005 to 31-08-2005 as illegal, unlawful, unconstitutional and violative of the original agreement lease, the judgment of this Hon'ble Court in W.P.No.18359/2002,dt.16/03/2004, Rule 23 of the A.P. Water, Land, Trees Act.2002 and Article 14,16, 21 & 39 of the Constitution of India and consequently set aside the orders of the respondents dt.07-01-2005 in Memo.No.10444/Pts.III/A3/2004-2, dt.23-12-2004 and consequential orders issued by fourth respondent and direct all the respondents not to permit the fourth respondent to quarry sand in the reach of indugupally village, vatsavai mandal, krishna district and pass such other order orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.SRINIVASA RAO BODDULURI

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

ORDER:(per VE,J)

Learned counsel appearing for the petitioner seeks permission to withdraw the writ petition as per the instructions of his client.

Permission is accorded.

Accordingly, the writ petition is dismissed as withdrawn. Interim orders granted in this writ petition stands vacated. However, it is open for the respondents to take appropriate action in accordance with law. No costs.

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V.ESWARAIAH, J

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K.C.BHANU, J

Date: 17-05-2005

Prv/Sj

To

1 The District Collector, Govt. of A.P.,
Krishna Machilipatnam (Panchayat Raj Wing)
2 The Principal Secretary Panchayat Raj Dept.,
Govt., of A.P.
3 The District Panchayat Officer
Krishna Machilipatnam.
4 Two CD copies.

5 One CC to Mr.venkateswarlu Posani.

6 One CC to Mr.Srinivas Dammalapati.